

Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 664188	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/004172	International filing date (<i>day/month/year</i>) 25.03.2004	Priority date (<i>day/month/year</i>) 02.04.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant YUYAMA MFG. CO., LTD.		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☒ the international application as originally filed/furnished
 - ☐ the description:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☐ the drawings:
 - sheets _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing *(specify)*: _____
 - ☐ any table(s) related to sequence listing *(specify)*: _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing *(specify)*: _____
 - ☐ any table(s) related to sequence listing *(specify)*: _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-5, 7, 10	YES
	Claims	6, 8, 9	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Document 1: JP 2002-264902 A (JV Medi Co., Ltd.), 18 September 2002			
Document 2: Microfilm of the specification and drawings annexed to the request of Japanese Utility Model Application No. 037614/1985 (Laid-open No. 153701/1986) (Sanyo Electric Co., Ltd.; Tokyo Sanyo Electric Co., Ltd.), 24 September 1986			
Document 3: CD-ROM of the specification and drawings annexed to the request of Japanese Utility Model Application No. 018707/1993 (Laid-open No. 076148/1994) (Shoji YUYAMA), 25 October 1994			
<p>The invention that is set forth in claim 6 does not involve an inventive step in the light of document 1 (paragraphs [0016] and [0024]) cited in the international search report. A person skilled in the art could determine whether to configure so that the upper end of the rebound prevention member extends from the bottom edges of the tablet outlets in the top stage or a location in the vicinity thereof, or to configure so that the upper end of the rebound prevention member extends</p>			

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
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from the upper edges of the tablet outlets in the bottom stage, as appropriate, in order to accommodate various conditions; however, tablets which are ejected towards the tablet outlet of a tablet feeder in a stage below the rebound prevention member from a tablet feeder in a stage above the rebound prevention member could rebound in the downwards direction, regardless of the position of the upper end of the rebound prevention member.

The invention that is set forth in claim 8 does not involve an inventive step in the light of document 1. The rebound prevention member that is disclosed in document 1 extends from the upper edges of the tablet outlets in the bottom stage, where it also functions as a cover part.

The invention that is set forth in claim 9 does not involve an inventive step in the light of document 1. A person skilled in the art could determine whether to integrate the rebound prevention member and the side wall of the falling tablet guide passage, or to configure so that the rebound prevention member is separate from the side wall of the falling tablet guide passage, as appropriate, in order to accommodate various conditions.

The tablet packaging device from the invention that is set forth in claims 1 to 5 and 10, wherein a rebound prevention member, which is inclined in a manner such that the distance from the tablet outlets increases towards the lower side of the invention, is provided at a location opposite the tablet outlets in the falling tablet guide passage, is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.

The tablet packaging device from the invention that

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citations and explanations supporting such statement

is set forth in claim 7, wherein the lower half of the rebound prevention member comprises a perpendicular part, is not disclosed in any of the documents that are cited in the international search report, and would not have been obvious to a person skilled in the art.